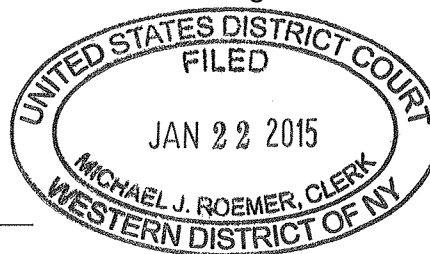


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA, ex rel.,
JASON W. NICKELL,

Plaintiffs,

09-CV-0203(S)

-v-

MEDTRONIC, INC., ST. JUDE
MEDICAL, INC. AND BOSTON SCIENTIFIC
CORPORATION,

Defendants.

STIPULATION OF DISMISSAL

Pursuant to Rule 41(a) of the federal Rules of Civil procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b)(1), and in accordance with the terms and conditions of the January 14, 2015 Settlement Agreement among the United States, Medtronic, Inc., and Relator Jason Nickell (the "Settlement Agreement"), the United States and Relator hereby stipulate, through their undersigned counsel, to the entry of an order (1) dismissing with prejudice all claims asserted on behalf of the United States against Medtronic concerning the Covered Conduct as defined in Preamble Paragraph D of the Settlement Agreement; and (2) dismissing without prejudice to the United States and with prejudice to Relator as to all other claims against Medtronic, Inc.

Additionally, Relator seeks to voluntarily dismiss without prejudice to the United States or Relator all claims against St. Jude Medical, Inc. and Boston Scientific Corporation, and the United States consents to such dismissal under 31 U.S.C. § 3730(b)(1).

Relator, on behalf of himself, his heirs, successors, attorneys, agents, and assigns, stipulates that the Settlement Amount set forth in the Settlement Agreement and the terms and conditions described therein are fair, adequate, and reasonable under all the circumstances, that he will not challenge the settlement pursuant to 31 U.S.C. § 3730(c)(2)(B), and that he expressly waives the opportunity for a hearing on any objection to the settlement under to 31 U.S.C. § 3730(c)(2)(B).

The United States and Relator respectfully request that the Court enter an order in the form of the attached, proposed order.

DATED this 22nd day of January, 2015.

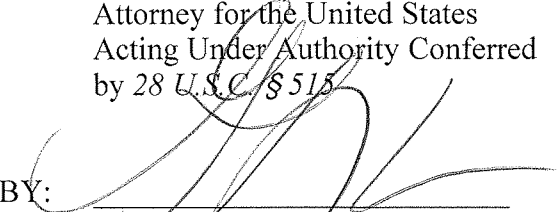
Respectfully submitted,

FOR THE UNITED STATES:

JOYCE R. BRANDA
Acting Assistant Attorney General

JAMES P. KENNEDY
Attorney for the United States
Acting Under Authority Conferred
by 28 U.S.C. § 515

BY:

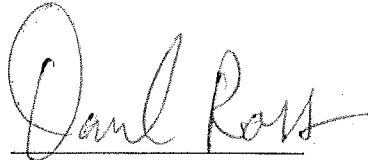

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FOR RELATOR:

BY:

A handwritten signature in cursive script, appearing to read "Daniel Ross", written over a horizontal line.

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WM. PAUL LAWRENCE, II.
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37163 Mountville Rd.
Middleburg, VA 20117

DATED: January 22, 2015

AT: Buffalo, New York

CERTIFICATE OF SERVICE

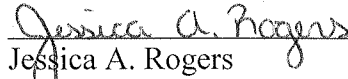
This is to certify that copies of the foregoing Stipulation of Dismissal have been served by

Certified Mail, Return Receipt Requested, this 22nd day of January, 2015, on:

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